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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,309	04/10/2002	Shao-Tsu Kung	CEIP0045USA	4908

27765 7590 07/09/2004

NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)
P.O. BOX 506
MERRIFIELD, VA 22116

EXAMINER

PERSINO, RAYMOND B

ART UNIT	PAPER NUMBER
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2682

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DATE MAILED: 07/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/063,309

Applicant(s)

KUNG, SHAO-TSU

Examiner

Raymond B. Persino

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by YOSHIDA et al (US 6,690,417 A).

Regarding claim 1, YOSHIDA et al discloses a cellular phone (100 of figure 1) comprising: a communication circuit (48 of figure 5) for receiving an image signal and transmitting a radio-frequency (RF) signal via radio transmission; a control module comprising: a processor for controlling the cellular phone (263 of figure 7); at least a button electrically connected to the processor for inputting a control signal to the processor when a user presses the button (103 or 110 of figure 2); and a display panel electrically connected to the processor for displaying an operating status of the cellular phone (107 or 104 of figure 2); a first audio module comprising: a microphone (106 of figure 2) for receiving an analog acoustic wave and converting the analog acoustic wave into a first audio signal; and a modulator (260 of figure 7) electrically connected to the microphone for modulating the first audio signal into the RF signal; and a video module

comprising: a conversion circuit (214/215/216 of figure 6) electrically connected to the communication circuit for converting the image signal into a video signal, the video signal being a NTSC signal; and an output terminal (42 of figure 5) electrically connected to the conversion circuit for transmitting the video signal to a device that could receive it (a television is such a device); wherein the television comprises a screen for displaying an image according to the NTSC standard (see column 5 lines 24 to column 14 lines 67 to clarify the above identified element numbers). It is noted that by definition an NTSC signal comprises a brightness signal such that the brightness of an image accordingly changes from bright to dark when a level of the brightness signal increases from a first level corresponding to the bright image to a second level corresponding to the dark image (evidenced by the applicant's specification in paragraph 21).

Regarding claim 2, see the parent claim concerning the subject matter this claim depends from. YOSHIDA et al further discloses that the video signal is a NTSC signal (column 14 lines 58-63). A NTSC signal, by definition, comprises a color burst signal, which is carried by a sine wave, for making the screen display a color image (evidenced by the applicant's specification in paragraph 21).

Regarding claim 3, see the parent claim concerning the subject matter this claim depends from. YOSHIDA et al further discloses that the video signal is a NTSC signal (column 14 lines 58-63). A NTSC signal, by definition, comprises a horizontal synchronization signal for controlling a horizontal synchronization frequency of the screen (evidenced by the applicant's specification in paragraph 21).

Regarding claim 4, see the parent claim concerning the subject matter this claim depends from. YOSHIDA et al further discloses that the video signal is a NTSC signal (column 14 lines 58-63).

Regarding claim 5, see the parent claim concerning the subject matter this claim depends from. YOSHIDA et al further discloses that the transmission circuit is capable of receiving a communication signal transmitted by radio transmission, and the cellular phone further comprises a second audio module (260 of figure 7) comprising a demodulator electrically connected to the transmission circuit for converting the communication signal into a second audio signal and a speaker electrically connected to the demodulator for transforming the second audio signal into a corresponding acoustic wave (column 12 lines 32-56).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond B. Persino whose telephone number is (703) 308-7528. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Art Unit: 2682

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Raymond B. Persino
Examiner
Art Unit 2682

RP

RP


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

6/28/04